ATTENDING
Coalition Members: Justice Slaughter, chaired meeting, Jon Laramore, John Floreancig, Chuck Dunlap, Chris Purnell, Hon. Melissa May, Carl Pebworth, Emily Weikert Bryant, Lucinda Nord, Scott Wylie, Hon. Martha Wentworth, Mary Fondrisi, and Carolyn Hall

Guests: Monica Fennell, Jacqueline Pimentel-Gannon, and Kelly Tautges

Staff: Carlton Martin, Marilyn Smith, Theresa Browning, and Sarah Kidwell

Meeting Called to Order at 10:34 a.m.

MINUTES APPROVAL
The October 1, 2018 CCA meeting minutes were approved at 10:36 a.m.

GUEST ANNOUNCEMENTS
We are pleased to have Monica Fennell of Faegre Baker Daniels with us today. As you know, Monica is the pro bono manager at the Indianapolis office of Faegre Baker Daniels and has been a guiding force for the CCA’s work – she serves on the Best Practices group and helped make last summer’s pro bono retreat a success.

We are happy to have Kelly Tautges join us today. Kelly is the pro bono counsel for Faegre Baker Daniels firmwide and facilitated the CCA’s pro bono retreat in August. We appreciate her willingness to join us today as we discuss the recommendations from the pro bono retreat.
**PRO BONO RETREAT RECOMMENDATIONS**

The focus of today’s meeting is the consideration of the pro bono recommendations that were developed from the CCA’s pro bono retreat in August 2018. Chris Purnell, the Chair of the CCA Pro Bono work group, introduced this portion of the meeting.

Chris provided an overview of the retreat. He mentioned that many diverse arrays of legal professionals were represented at the retreat: private firms, corporate attorneys, civil legal aid agencies, pro bono district representatives, and the court. All of these professionals can have an impact on pro bono delivery of legal services.

He highlighted larger goals that the retreat aimed to meet. The pro bono recommendations below stem from these broader goals. The goals were:

- Need for a coordinated pro bono system (eliminate silos)
  - Strategic deployment of volunteer help.

**3 Primary Recommendations — Kelly Tautges Led Discussion**

Kelly facilitated the remainder of this discussion. The goal was to come out of this discussion with CCA agreement to move forward with taking action on the recommendations. Ultimately, the CCA unanimously voted to move forward with the recommendations.

1. **Recommendations on District Consolidation** – Mary Fondrisi
   
   a. Having a voluntary consolidation of the districts to increase efficiency, provide state wide leadership from pro bono perspective
   
   b. This is a VOLUNTARY Incentivized system
   
   c. Historical Overview
   
   i. Districts were organized by the IN Sup Court Professional Conduct Rule 6.6.
   
   ii. Gave a breakdown of how the districts were funded originally and the effects of the economic downturn. Started with 14 districts, but now we are down to 12.
   
   d. Questions to be answered about the consolidated pro bono organization
   
   i. How will a statewide entity be structured?
   
   ii. What will happen with each district’s 501(C)(3) status?
iii. How will malpractice insurance be obtained?
iv. Who will lead the statewide entity?
v. Will the other districts be dissolved?
vi. Will districts receive health insurance benefits?
vii. How do we best support the pro bono district staff?

e. Organize a transition committee for the voluntary consolidation
f. Justice Slaughter would make appointments to the transition committee as the chair of the CCA

g. How best to create the statewide nonprofit that:
i. permits the districts to maintain a local presence and flavor, and develop local funders, and still benefit from oversight of a centralized entity.

ii. Merges in a simple process.

iii. allows back-office functions to be done at the statewide level, including malpractice insurance, computer software purchases, and fiscal management.

2. Recommendations on Funding Aligned with Vision – Chuck Dunlap

1. Chuck showed a power point that demonstrated the complicated funding structure for Pro Bono Districts and Civil Legal Aid agencies

2. We want to simplify this process.

3. Resource Development group is looking into funding sources

4. Need to move away from tying funds to narrow, very specific purposes.

   a. Goal is to move toward a “Rising Tide Lifts All Boats” Model and away from the “Fierce competition for limited resources” Model: Aim to create a bigger funding pot for the whole system

5. CCA discussed the merits of establishing or erasing bright lines between Pro Bono and Civil Legal Aid funding.

6. Recommendation is to form a small funding system committee appointed by the CCA Chair to make recommendations on how best to restructure funding system.

3. Recommendations on Activities to Strengthen System – Kelly Tautges
i. Ongoing efforts include: Institutional leadership, including private bar engagement, coordinated intake, triage portal, training, professionalization. This will be the heart of the work for next several years:

1. PRIVATE BAR AND OTHER INSTITUTIONAL ENGAGEMENT
   a. Law firm leadership meeting is in early stages and scheduled for March 20.

2. PROFESSIONALIZATION (best practices, pro bono design, fundraising)
   a. Data Collection workgroup is working on common definitions

3. COORDINATION (Intake, triage, portal, shared training)

CCA Chair Justice Slaughter will discuss the pro bono recommendations with the other justices to see if they are generally in agreement. If yes, the CCA will move forward with the specific action steps of the recommendations.

Vote: Carl Moved, and Judge May seconded: Unanimous vote to approve the pro bono recommendations in full as laid out on pages 3 – 5 of the recommendations. Submission for Supreme Court approval is the next step.

WORK GROUP UPDATES

Best Practices: Marilyn Smith

New Group Name: Proposal to change the name of the group to Self Help and Court Access (SHACA). The proposal to change the name was unanimously approved.

Website Update: Over 54,000 visits to the indianalegalhelp.org website in the last quarter of 2018. Next sets of forms to be migrated to the site include: custody, expungement and mortgage foreclosure.
Communications/Technology—Jon Laramore

- Indiana Triage Portal committee convened on Nov. 29 – 30 with John Greacen facilitating and Bridget Gernander, from Minnesota IOLTA, presenting. This committee is working under a planning grant from Legal Services Corporation (LSC). Committee will prepare a letter of intent for LSC for a larger implementation grant.
- The Microsoft model that is being tested in Hawaii and Alaska was originally intended to be available in January 2019 and now aiming for summer 2019. Indiana wants to move forward in assembling the building blocks for a triage portal and will assess the Microsoft model later in 2019. The initial recommendation is that there be a separate 501(C)3 to develop the technology portal.

Data Collection—Carlton Martin

Civil Legal Needs Study Update: The draft civil legal needs study is being reviewed by the data collection work group and staff. The final report is expected to be finalized in February. The next CCA meeting, March 18, will focus on the study and will take place at IU Maurer.

Economic Impact Study Update: Chief Justice Rush may reference the economic impact study in her State of the Judiciary speech on Wednesday, January 16th: for every $1 spent in civil legal services the return to the community is $6.70. The executive summary of the study, which was distributed at the Oct. 1, 2018 CCA meeting, is also in today’s meeting materials on page 28 and the full study is posted on the Supreme Court’s CCA webpage: https://www.in.gov/judiciary/iocs/3149.htm.

Pro Bono: Chris Purnell and Lucinda Nord

Lawyers in Libraries Description: Coalition partners piloted Lawyers in Libraries project in a limited number of libraries from 2 pro bono districts (C and F). The pro bono work group will focus on how to strengthen this program in 2019.

- Mixed delivery system in Districts F and C. Mixed delivery is a combination of Skype and in-person consultations
- This effort is especially difficult in rural counties.
There are not a lot of rural communities/counties with attorneys who are available to provide pro bono services, so Skype worked very well for the rural counties (Skyping from Fishers and Fort Wayne).

This events were costly to structure with library resources.

One recommendation for next year is to have attorney volunteers provide general overviews about legal issues (ie., guardianships, family law, probate) and offer these via virtual broadcast.

**Rural—Carl Pebworth**

General challenge as group is how to engage the Rural parts of the states more broadly. The Workgroup has expanded but they need more people outside of geocentric Indianapolis.

**2019 Meetings:**

- **Monday, March 18**
  - IU Maurer Law School
  - (with dinner on Sunday, March 17)
  - 211 S Indiana Ave.
  - Bloomington, IN

- **Thursday, May 30**
  - Feeding Indiana’s Hungry
  - 8425 Keystone Crossing Suite 220A
  - Indianapolis, IN

- **Tuesday, August 27**
  - Faegre Baker Daniels,
  - 300 N Meridian St., #2700
  - Indianapolis, IN

**Equal Justice Conference**

- **May 9 – 11, 2019**
  - Louisville, KY

**MEETING ADJOURNED AT 01:09 P.M**
COALITION FOR COURT ACCESS MEETING AGENDA
INDIANA UNIVERSITY MAURER SCHOOL OF LAW
FACULTY CONFERENCE ROOM 335
211 S INDIANA AVE
BLOOMINGTON, IN 47405

MONDAY, MARCH 18, 2019, 9:00 A.M. – 12:45 P.M. ET

ATTENDING

Coalition Members: Justice Slaughter, Jon Laramore, John Floreancig, Chuck Dunlap, Chris Purnell, Hon. Melissa May, Emily Weikert Bryant, Lucinda Nord, Scott Wylie, Hon. Martha Wentworth, Mary Fondrisi, Hon. Kim Dowling, Professor Victor Quintanilla, Professor Judith Fox, Jane Henegar, Michael Tolbert, Donald Lundberg

Guests: Monica Fennell, Diane Walker, Professor Amy Applegate, Professor Seth Lahn

Staff: Carlton Martin, Marilyn Smith, Kate Guerrero, and Sarah Kidwell

Meeting Called to Order at 09:01 a.m.

MINUTES APPROVAL

The October 1, 2018 CCA meeting minutes were approved at 9:06

COMMUNICATIONS/TECHNOLOGY: JON LARAMORE

Technology Innovation Grant letter of intent was submitted to the Legal Services Corporation by Indiana Legal Services in partnership with the CCA. Grant focused on adding to the CCA’s website (indianalegalhelp.org). The site will include:

- Guided interview self-help program that would respond to a series of questions to populate the fields.
- Begin a system to develop and tag legal aid content
- Start working with logic trees to provide legal info & referrals to people so that they will get more focused responses from the system.
**Pro Bono: Chris Purnell and Scott Wylie**

**Chris Purnell:** presented the 2017 pro bono reporting infographic and the pro bono recommendations that were adopted by the CCA. He also referenced a Law Firm Pro Bono Leadership lunch that is being held on March 20. The idea for the event came from the pro bono recommendations.

**Scott Wylie:** presented updates on the CCA pro bono transition committee that Chuck Dunlap will chair and the CCA funding system committee that Judge May will chair. Both committees will begin their work before the next CCA meeting.

**Resource Development Group: Chuck Dunlap (IOLTA)**

IOLTA has hovered around 300K since 2009. This fiscal year has seen a significant increase in revenue due to rising interest rates.

*Projected* IOLTA revenue for FY 2020 is approximately $1.4 million.

**Self Help and Court Access Group: Judge Dowling**

*Website:* Received 30k visitors over the first two months. We currently have the following forms on the site: child support, divorce, name change, fee waivers, and contempt. We plan to add the following: custody, gender change, expungement, mortgage foreclosure. We may provide additional languages for each form at some point.

*Rule 2.2 Discussion:* Page 20 of the meeting materials referenced Judge Dowling’s memo to the Justice Slaughter. Judge Dowling reported on the context of her memorandum; which arose out of a judicial conference session in 2017 where 85 judges agreed that they needed more guidance for assisting pro se litigants. Next, we discussed the rules committee’s concerns about the CCA’s first draft of the proposed rule change. The rules committee’s changes stripped the key language that would have provided the necessary guidance, so the CCA will submit Judge Dowling’s memo to the Indiana Supreme Court so the Justices will be aware of our concerns and hopefully reinstate our proposed language. Further, the CCA discussed how this rule change may be one of the most practical objectives that we will get done. It has the potential to serve the greatest amount of people. Motion to endorse the recommendations on pages 20-21 was unanimously approved with Justice Slaughter abstaining from the vote.
On Thursday evening March 14, we received the final draft of the 2019 civil legal needs study. Our CCA Data Collection work group has overseen this project and the draft has gone through several reviews. Final edits are due by April 1. Victor Quintanilla, who is a co-author of the study and a member of the Data Collection work group, gave us an overview and lead us through a process to review parts of the study. He also presented information about Maurer’s public interests efforts.

- **Break Out Session Information**: Professor Q separated the Coalition into small breakout groups by workgroup section (SHACA, Communications, Resource Development, etc.), then assigned each group three major breakout charges.

  - **Breakout Charge 1**: What are the most important findings relating to your committee’s current work and future plans? How and why are these findings important to your committee?

  - **Breakout Charge 2**: Given these findings, what are the areas of focus that the CCA should consider when it turns to strategic planning?

  - **Breakout Charge 3**: How can the CCA best disseminate these findings to audiences and stakeholders? What are the most important findings that you wish to share with Hoosiers? For Example:
    - Indiana assembly
    - Indiana lawyers
    - Legal aid attorneys and staff
    - Members of the public
    - Potential funders
    - Chief Justice Loretta Rush’s remarks to LSC national gathering (April 2019)
    - American Bar Association National Meeting (May 2019)

**GROUP 1: TECH AND COMMUNICATIONS**

- **Breakout Charge 1**
  - There are 1.2 million Hoosiers living at or below 125% of the Federal Poverty Level.
  - 80% of these folks experience some sort of civil legal issue
- Page 31: There are case types that affect this population—target sections
- Unrepresented litigants have increased by 33% in the last decade—page 20
- Counties with most need/legal areas
  - Maps, 1.1-1.7
  - Table, 2.1
- Target ISBA sections per problem needs, Fig. 2.2
- Page 16: 1/10 of FTE civil legal aid attorneys to serve 1000 low-income Hoosiers
- Page 26: Could use this map for unrepresented litigants and the case types

  o Breakout Charge 2
    - Need to focus on technology to address vast need
    - Various ideas (lawyers in libraries, Skype, etc.)
    - Perform a survey for why people do not do pro bono
    - Take a look at legislative reform in some of these areas that disproportionately affect our population
    - Work with the bar associations to help address these issues
    - Young lawyers in different sections—change culture of different sections
    - Distribute this info at section meetings and then discuss
    - Culture of pro bono—highlight a pro bono rock star
    - Distribute this info at section meetings and then discuss

  o Breakout Charge 3
    - Create free CLE videos on these areas of law
    - Quick hit videos about these issues
    - Communicate with local county bars, other bars
    - Tie this in to the economic impact study
    - 40 under 40 highlighting the pro bono rock stars
    - Have Ivy Tech event to inform attorneys
    - Op-eds to de-mystify pro bono
    - Do so little pro bono—Quick hit videos to highlight the reasons why pro bono provides meaning. And not scary
    - Page 44: Have pro bono legal providers/districts create and/or maintain knowledge—management pro bono tools
GROUP 2: RESOURCE DEVELOPMENT

▪ Breakout Charge 1
  ▪ Most important findings and constituency
  ▪ Unrepresented litigants and how many problems this causes with the system. Focus this on attorneys, legislature, funders
  ▪ Types of cases: Elderly, children, mentally ill, vets (explain civil legal aid to public)
  ▪ Report in general to the Bar (shifting culture pro bono): messaging on a daily basis
  ▪ Court leads this

▪ Breakout Charge 2
  ▪ Areas of focus:
    • Focus on underserved areas in the state
    • Focus on a change of culture in the bar to raise funds for legal aid/pro bono
    • Why should lawyers be the sole source of funding for legal aid/pro bono?
    • Educate the funders and grant makers

▪ Breakout Charge 3
  ▪ Getting info to donors about what we do; dollars are so low to the mission
  ▪ Leveraging technology to help the rural counties; show money is being used efficiently
  ▪ Resource allocation most effective pro bono/legal aid models; funding system efficiently
  ▪ Pots of money and management of revenue generation; showing areas of need and demand and supply
  ▪ Society is better off when legal problems are solved (cost to society); social leverage
  ▪ Legal problems affect society (opiates and the society fallout); guardianship, CHINs, etc. TPR

GROUP 3: SELF HELP AND COURT ACCESS

▪ Breakout Charge 1
  ▪ Judge and clerk survey
  ▪ Increase in SRL numbers
▪ Potential need for more specialized or problem-solving courts
▪ Inconsistencies across counties
▪ Statistics about how many people come in and the court’s reactions
▪ Increase in number of people under Federal poverty line
▪ How do we reach people (e.g. rural) who don’t have easy access to technology or libraries?

  - Breakout Charge 2
    ▪ The data collection can’t be a one-time thing. We need a set time-frame to compare data
    ▪ Survey of lawyers in the future
    ▪ Decrease number of SRLs or at least decrease number of SRLs that don’t know what is going on
    ▪ Educate lawyers on the idea that helping SRLs won’t hurt their business
    ▪ Unbundling legal service

  - Breakout Charge 3
    ▪ Don’t highlight how few people are getting legal aid
    ▪ Legislature—courts: Number of people (percentages) with legal needs and SRLs
    ▪ To judicial audience: challenge that SRLs face and focusing on that SRLs are disadvantaged by lack of knowledge
    ▪ To legislatures: One-tenth of one lawyer for 1000 SRLs
    ▪ To lawyers: educating lawyers that many people cannot afford lawyers—highlight number of low income
    ▪ Need to get lawyers in front of people in need
    ▪ Law students need to educate young lawyers of the need—integrate into law schools
    ▪ How many people have unmet legal needs—how few attorneys to address
    ▪ Judiciary—Present study at fall conference along with—hopefully—rule changes

GROUP 4: RURAL NEEDS

  - Breakout Charge 1
    ▪ Important findings
      • Most pressing challenges
        ➢ Lack of transportation, inadequate employment
        ➢ 40 minute drive to legal aid provider
➢ Limited number of attorneys in the county
➢ Family law made worse by opioid issue
• Barriers to seeking legal aid
  ➢ Services not available: ineligibility, unable to take cases, lack of resources
  ➢ Transportation’s and physical access
  ➢ Lack of awareness
  ➢ Cultural/language issues
• Top rural counties with low civil legal aid→Martin, Montgomery, Franklin, Switzerland, Warren, Washington, Parke, Tipton, Vermillion, Union
• Lowest rates of attorneys engaging in high levels of pro bono→Whitley, Rush, Spencer, Sullivan, Wells

 o Breakout Charge 2: Strategic planning focus
  ▪ Clinics: Remote services projects
  ▪ Communication, education, and resources
  ▪ Partnerships with trusted non-legal intermediaries
  ▪ Private sector/technology partners
  ▪ Economic incentives→Investment, seed money for solo/small firm lawyers willing to work in rural areas
  ▪ Viable modest means referral System like the following→Idaho, Alaska, Colorado

 o Breakout Charge 3: How/why these findings relate to rural group
  ▪ Internet issues
  ▪ Idea: Clinic, remote, rural services, IU Center for Rural Engagement
  ▪ Limited number of young attorneys in rural areas
  ▪ Most important findings for Hoosiers
    • Building a strong statewide system will help rural counties
    • Legislators, trial court judges, clerks, librarians, hospitals, law schools
    • Message→strengths of our systems, CJ Rush, educational campaigns
    • situation of need hasn’t changed much in 10 years

GROUP 5: PRO BONO

 o Breakout Charge 1
  ▪ The number of unrepresented parties
▪ Tell people about legal rights because they don’t know
▪ Unrepresented parties use the internet
▪ Courts and clerks send SRLs to internet
▪ Importance of CCA and supreme court website
▪ Need to constantly update info as law changes in areas of importance
▪ Need to update online resources, yet limited capacity to do so: Health, Debt/collection, Family law
▪ SRL may not be using the correct forms
▪ Despite making available, unrepresented parties remain unprepared
▪ Supplementing online forms with in-person support within courts; non-attorney volunteers, e.g., civil protection orders
▪ Using the CCA to publicize the extent of the need

o Breakout Charge 2
  ▪ Mismatch between needs and resources available—in terms of subject matter.
  ▪ Increasing resources
  ▪ Medical legal partnerships, social service providers relationships
  ▪ Are there ways to address these needs before they become legal problems? E.g., predatory lending
  ▪ Policy → Education and information about level of the law that affects large swaths of Hoosiers

o Breakout Charge 3
  ▪ General Assembly→Top 3/5 legal needs areas (e.g., DCS)
  ▪ Self representation
    ➢ Increased rates
    ➢ Double-edged sword could backfire
  ▪ Legal aid providers→Top 3/5 legal needs areas
  ▪ Funders→The gap between rates presented and those fully served
  ▪ Public
    ➢ CCA, available resources and forms
    ➢ Or increase knowledge of their rights
  ▪ Lawyers→Number and percentage of pro bono
  ▪ Courts→Getting data on SRL and best practices

STUDENT PREsentATIONS (LUNCH)

During lunch, Maurer law students who participate in the school’s Access to Justice Service Learning program presented their projects and outcomes to the CCA.
2019 Meetings:

Thursday, May 30  Feeding Indiana’s Hungry
                  8425 Keystone Crossing Suite 220A
                  Indianapolis, IN

Tuesday, August 27  Faegre Baker Daniels,
                    300 N Meridian St., #2700
                    Indianapolis, IN

Autumn CCA meeting  TBD

Equal Justice Conference

May 9 – 11, 2019  Louisville, KY

MEETING ADJOURNED AT 12:46 P.M
ATTENDING

Coalition Members: Justice Slaughter, Jon Laramore, John Floreancig, Chuck Dunlap, Chris Purnell, Hon. Melissa May, Emily Weikert Bryant, Lucinda Nord, Scott Wylie, Hon. Martha Wentworth, Mary Fondrisi, Hon. Kim Dowling, Professor Judith Fox, Jane Henegar, Carolyn Clay Hall, Michael Tolbert, Carl Pebworth, Catheryne Pully

Guests: Chase Haller, Monica Fennell

Staff: Carlton Martin, Marilyn Smith, Kate Guerrero, and Sarah Kidwell

Meeting Called to Order at 10:37 a.m.

MINUTES APPROVAL

The March 18, 2019 CCA meeting minutes were approved at 10:39

PRO BONO: CHRIS PURNELL AND SCOTT WYLIE

Emeritus Pro Bono Rule (Chris P):

- BACKGROUND: Carlton Martin described the origin of the CCA’s rule proposal and how the proposal worked its way through the rules committee. Essentially, the original proposed rule was sent to the committee as an amendment to the Prof. Cond. Rules 5.5. After a multi-month deliberation by the rules committee’s sub-committee that was created to explore the proposal, the rules committee decided the rule was best placed under Admission and Discipline Rule 6.2. A full description of the rules committee’s decision is included in a memo from Lilia Judson, Supreme Court Rules Committee Chair. The memo is in the materials.
Chris Purnell reported that the work group is currently reviewing the new proposed language of the Rule 6.2 Proposed emeritus pro bono rule. Jeff Heck created an affidavit that a potential pro bono publico attorney can use to practice law under this rule. The affidavit is attached in the meeting materials.

Two questions emerged:
- Does the rule include an exemption from CLE requirements?
- Why is the age limit for retired attorneys set at 65 given that many attorneys are retiring at younger ages?

**ACTION STEP:** CCA will go through the rule and make a list of changes we would like to see then respond to the rules committee with the proposed affidavit and any questions or proposed rule language.

**Pro Bono District Consolidation Process (Scott W):**

Scott, Marilyn and Chuck are in the process of having face to face meetings in each pro bono district. The feedback on the pro bono consolidation has been positive even if all districts don’t choose to join the consolidated entity immediately. Eye opening just how scarce pro bono resources have been for a long time. A lot of programs had to make really unfortunate choices with personnel and benefits. They do not have the appropriate resources to be successful. The pro bono districts will have a retreat on June 14, 2019.

**CCA Funding System Committee: Judge May**

The committee is looking primarily at the Civil Legal Aid Fund and the IOLTA funds. The goal is to create a comprehensive funding plan for our civil legal aid delivery system that works across counties – both rural and urban. The committee is aiming to break down the funding data into a more comprehensive and understandable way. They are also looking at the funding systems in Texas and Ohio as examples.

Two bigger questions were posed. Do we need to change the Civil Legal Aid Fund statute? Or, can we propose changes via court rule? The committee is reconvening June 10, 2019.

**Self Help and Court Access Group: Judge Dowling and Kate Guerrero**

Judicial Code of Conduct Rule 2.2 (Judge Dowling)
Supreme court agreed with the CCA’s proposal for Rule 2.2. This rule is one of the most important things the CCA has done since judges do need more guidance for how to handle pro se litigants. The biggest concern about the CCA’s rule proposal was that this guidance would be seen as more requirements on judges. The new rule is not mandatory, but permissive. Many comments and personal anecdotes about how this rule will help were stated in the meeting.

**Expungement Forms on CCA Page (Judge Dowling):**
- Carlton elaborated on the expungement fact sheet provided in the materials. He discussed the arguments for and against posting the forms on the CCA’s website at Indianalegalhelp.org.
- The group discussed many of the problems with Indiana’s current expungement statute and accompanying procedures, such as:
  - *Fixing the one and done rule.* Why should expungement petitioners be held to strict standards when the Indiana State Police (ISP) criminal records are not always accessible or accurate?
  - *Criminal Record Gathering.* It is too hard to gather accurate criminal history data. The ISP’s records are sometimes inaccurate or inaccessible and can cause mistakes to be made when creating the petition. There needs to be a more reliable central location for acquiring criminal history info.

**MOTION**→The CCA will table putting expungement forms on its website until we work on this issue with the statute. We will not add the forms to our page. This issue will be discussed again at the next meeting.

**ACTION STEP:** Jane Hengar and Emily Weikert Bryant offered to help put together a proposal for legislative changes to the expungement statute.

**Demonstration of CCA Website (Kate G and Marilyn S):**
- Kate Guerrero and Marilyn Smith did a brief walk through of the Indiana Legal Help website and some of the features that are in development. The site has had over 150,000 visitors since it launched in the fall of 2018.
**DATA COLLECTION: PROFESSOR JUDY FOX**

**Legal Needs Study & Next Steps:**
- How are we going to roll this out and market it? John L will work with ILS marketing firm to get the study out.
- We were too late to get on the annual ISBA fall meeting schedule.
- We need to do some court watching to see how pro se litigants are being handled. People are being treated badly in courts.
- We need to come up with a way that we can tell the story to the legislature and the general public. The study needs to be promoted.
- WHAT IS the GOAL OF MARKETING the study: we need to marry the study to actual narratives and stories. Perhaps a video campaign.

**COMMUNICATIONS/TECHNOLOGY: JON LARAMORE AND CHASE HALLER**

**CCA Conference Update (Jon L):**
- Now scheduled for Friday, October 4, 2019 at Ivy Tech Conference Center in Indianapolis

**LSC Technology Innovation Grant (Jon L):**
- Page 24 of the meeting materials has the letter of intent for the grant application which would fund the continued development of the Indiana Legal Help website.
- The full application is due June 7, 2019.

**NCLC Presentation-Indianafreelegal.com (Chase H):**
- NCLC is using its new website for online intake and brief advice
- Since it launched in January 2019 it has conducted over 400 online intakes
- Average under 100 a month.
- The website landing page says: “For free legal advice and information regarding a civil legal issue, take a few minutes to complete this online form. Each year the Neighborhood Christian Legal Clinic serves 10,000 people for free with issues like immigration, housing, bankruptcy, expungement, and more. Let us know a little about you so that we can prepare the right legal advice for you.
- How can we help?
  - To start, let us know a little bit about what brought you to the clinic. These are some of the most common legal issues that people come to us with. Do any of these describe your situation?”
**RURAL WORK GROUP:** Will provide an update at the next meeting

**Membership Matters**

- **Mary Fondrisi** and **Jon Laramore** have agreed to be re-appointed for a three-year term, ending June 30, 2022.

- **Mark Robinson** has resigned from the Coalition and will be dedicating his time to the Judges and Lawyers Assistance Program - JLAP. Mark has given years of service to the CCA and the Indiana Pro Bono Commission before that. The IBF President will be appointing **David VanvGilder** to replace Mark. David will be invited to the next meeting.

- **Judge Dowling** will be resigning from the Coalition when her term is over on June 30. She will be devoting her time to trafficking issues. The CCA is grateful for the leadership and guidance that Judge Dowling has shared with the Coalition over the last three years.

**CCA FY 2020 Goals and Priorities (July 1, 2019 – June 30, 2020)**

CCA wants to take the next few months to spend time working on “What’s Next” for the Coalition. We’ve prepared a list of some of the important objectives moving forward. Everyone should spend some time thinking about the following questions.

**Work Group Descriptions:** We’re seeking input on the work group descriptions and membership. Particularly, from the following questions:

- What’s missing in these descriptions?
- Are there groups or individuals that we could invite to join a work group – perspectives we’re not currently offering?
- For those of you who are newer to the Coalition, what questions do you have about the work groups?
- For those of you who have been involved for a while, how would you strengthen or upgrade the groups?

**Justice for All Grant:** The CCA discussed whether it should apply for the Justice for All Grant – the RFP is included in the meeting materials on page 30. The CCA applied for this planning grant in 2016 and did not receive it – we are arguably better organized now than we were in the fall of 2016 when we first applied for the grant. Eleven states
have received or are currently receiving these grants and the current RFP will fund three additional states for $70,000 - $100,000.

It was suggested that we seek feedback on why Indiana did not get this grant in 2016 so we learn from that experience.

Motion was unanimously approved to move forward with pursuing the grant. Marilyn will run point on submitting the application, which will be signed by the Chief Justice. The application is due on June 28, 2019. We should know whether we received the grant in August 2019. Anyone who is interested in helping with this process should reach out to Marilyn.

CCA Member Orientation Material: The CCA has not had a formal CCA member orientation and has developed a draft for new members. The CCA will discuss the orientation materials at the August meeting. Members were asked to review the draft materials about the CCA’s mission, governance and priorities and provide comments on how to improve them or what else should be included.

Developing the Goals Moving Forward: The next Coalition meeting (August 27, 2019) will focus on developing the Coalition’s goals and priorities for the next few years. Two major questions were posed: 1) should we use a facilitator for that meeting and 2) should we allocate more than three hours to develop the goals.

The answer to the first question was no. CCA does not have a budget for a facilitator this year, but, if the CCA receives the Justice for All Grant, grant funding would cover a facilitator at future meetings. In all likelihood there will be no facilitator for the August meeting.

The August meeting will remain three hours in length. Workgroups were asked to commit to doing planning between now and August to prepare. Each workgroup should come up with its top priorities for the coming two years and begin to work on identifying strategies for accomplishing these goals. The work groups’ plans will be shared and discussed at the August meeting.

If CCA needs additional time to develop new goals, then the October meeting time can be dedicated to fleshing-out the goals and finalizing before the year is over. The October meeting may have a facilitator.
Draft of FY 2019 Annual Report: Rule 6.6 instructs the CCA to deliver an annual report to the Court by June 30, 2019. Examples of the 2016 – 2018 reports are included in the meeting materials. Marilyn will circulate a draft of the 8-10-page report for comment.

**NEW BUSINESS—NONE DISCUSSED**

**2019 Meetings:**

Tuesday, August 27
Faegre Baker Daniels,
300 N Meridian St., #2700
Indianapolis, IN 46204

Autumn CCA meeting
TBD

CCA Fall Conference
October 4, 2019
Ivy Tech Conference Center
2820 N. Meridian Street
Indianapolis, IN 46208

**MEETING ADJOURNED AT 1:13 P.M**
**COALITION FOR COURT ACCESS MEETING AGENDA**
**FAEGRE BAKER DANIELS**
**SUITE 2700**  
**300 N MERIDIAN STREET**  
**INDIANAPOLIS, IN 46204**

**THURSDAY, AUGUST 27, 2019, 10:30 A.M. – 01:30 P.M. ET**

**ATTENDING**

**Coalition Members:** Justice Slaughter, Jon Laramore, John Floreancig, Chuck Dunlap, Chris Purnell, Hon. Melissa May, Emily Weikert Bryant, Lucinda Nord, Scott Wylie, Hon. Martha Wentworth, Mary Fondrisi, Jane Henegar, Carolyn Clay Hall, Carl Pebworth, Catheryne Pully, David Van Gilder

**Guests:** Monica Fennell, Alex Van Gorp, Kim Berry (IBF), Joanne Orr

**Staff:** Carlton Martin, Marilyn Smith, Kendra Key, Bob Rath

*Meeting Called to Order at 10:31 a.m.*

**MINUTES APPROVAL**

The May 30, 2019 CCA meeting minutes were approved at 10:32

**PRO BONO CONSOLIDATION:** **CHUCK DUNLAP AND SCOTT WYLIE**

**Chuck Dunlap:** Discussed the name for Indiana’s new consolidated pro bono entity, “Pro Bono Indiana.” Key parts of this project are on track to be completed by January 1, 2020. He also discussed how Ft. Wayne and Columbus are very supportive of this new consolidation, even though they are not joining at this time. This pro bono consolidation committee is looking at the Legal Server case management system, the same one used by ILS, as a tool for the pro bono districts to share statewide.

**Scott Wylie:** Further elaborated about the current effort to shop for a new case management system, and insurance products that will support Pro Bono Indiana. Also,
he mentioned that is was not out of the realm of possibility that Ft Wayne and Columbus could join at a later date. This committee is working on finding ways to secure benefits for employees of pro bono districts. They are also working to get reasonable malpractice, liability, cyber-security and D&O insurance.

The pro bono consolidation committee continues to stress the importance of maintaining local autonomy for the pro bono districts while consolidating back office, administrative functions. The goal is to shift the administrative functions to Pro Bono Indiana so that the pro bono districts can spend more time recruiting volunteer attorneys and serving clients. Local pro bono boards will still have participate in supporting the pro bono district’s programs if they so choose

CCA FUNDING SYSTEM COMMITTEE: JUDGE MAY

The committee is developing recommendations to transition Indiana’s public civil legal aid funding to a more consistent grant system. The committee has been studying and will be modeling its recommendations based on the Texas civil legal aid grant system. Their goal is to have the draft grant documents circulating for comment to grantees by the end of September.

Stated Goal of the Committee is to work within the existing framework of the Civil Legal Aid Fund Statute, applying a consistent set of service definitions and metrics with additional support for grantees to use a common language in their grant reporting.

CCA members support the effort to strengthen the grant reporting and fiscal and program oversight. Increasing accountability in the grant program will help the civil legal aid community make stronger funding arguments in the future.

3 Step Process for Completion
   1. This committee will do the work then wrap up and make recommendations
   2. Recommendations will be brought to the CCA
   3. Then the CCA will send the recommendations to the Court for them to decide the timeline for the changes to be made.

LAW FIRM PRO BONO LEADERSHIP INITIATIVE—MARILYN SMITH

The CCA in partnership with Indiana Legal Services and Faegre Baker Daniels, hosted a Veterans Legal Clinic at the VA Hospital in Indianapolis on August 20. The clinic included a 1.5 hour CLE about restoring driving privileges for veterans. Attendance
was low. Attorneys from 9 law firms were invited and all of the participants at the CLE came from Faegre Baker Daniels. This attendance dynamic highlighted the need to try to ignite a culture change within law firms around the subject of Pro Bono participation. Carl Pebworth shared how Faegre Baker Daniels sparked their own pro bono culture shift over a 20-year period and offered details about how they developed the pro bono system they have today. We discussed exploring the idea of hosting quarterly clinics.

CCA Orientation Materials Review

The CCA reviewed the orientation materials and had no substantive changes to suggest. New CCA member David Van Guildler stated that the materials were sufficient.

Priority and Goal Setting for 2020 – 2022

Carlton Martin and Marilyn Smith facilitated the discussion to develop the CCA’s goals for the coming two years. Each group was provided a worksheet that instructed them to list out their top three goals, barriers in the way of those goals, top needs in order to reach goals, and other important relevant information. The chairs of each workgroup were asked to present those goals and needs during this meeting. Those notes are listed below.

Communications/Technology: Jon Laramore

Top 3 Goals
1. Communication Plan (3 Part plan) → provide information about civil legal aid, pro bono, and self-represented services to three entities: THE PUBLIC, COURTS & HUMAN SERVICES PROVIDERS, and POLICY MAKERS/Legislators
2. Develop CCA Website and Portal → Monitor progress on CCA website and national work on portal tech development
3. Monitor Tech innovations in other Jurisdictions → Keep a close eye on what is happening around the country in regard to tech and civil leg aid and pro bono. Attend national tech conferences, ABA, LSC

Top Expressed Needs
1. Communications Consultant Services: does the court have it, yes. The OCEO is the “Courts” arm for communications.
2. **FUNDING**: many need additional resources to attend tech conferences.

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**DATA COLLECTION: MARY FONDRISEI AND JOHN FLOREANCIG**

*Top 3 Goals*

1. **Common Terms**: establish common terms and definitions to add to the portal. Wants to work with that entity

2. **Civil Legal Needs Study**: Continue to market and circulate Civ Leg Needs Study

3. **Qualitative Research**: Investigate experiences/challenges of pro se litigants in small claims courts. The Civ Leg Needs Study gives the data, but we want to know more about experiences.

*Top Expressed Needs*

1. **Funding**: may need a little extra to market study further

2. More buy in for CCA initiatives based on the needs identified in the study

*Other Ideas*

1. **Beta Testing Forms**: would like to test our forms to find out of pro se users can really work with them.

2. **Create Training/Workshops**: The training would be for stakeholders and cover areas that were examined under the civil legal needs study.

3. **Exploratory Committee**: they would look into other problem areas where forms may be needed such as expungement and traffic amnesty.

*Other Comments:*

- Judge Wentworth- Marketing should be done in the Communications work group. People want to see outcomes- so, outcomes should be the focus on the with the data from the Civil Legal Study now.
- Jon Latimore- Easy to collect outcome data when creating case systems- Objective and Subjective Outcomes. Not that hard and could be standardized across several systems
- Mary- investigating experiences was above and beyond data collection- Hoping to extend reach of effectiveness for pro se litigants
• Carl- it would be interesting to speak to pro se litigants involved in the system in order to gain perspective on different people going through the system.

PRO BONO: CHRIS PURNELL

Top 3 Goals
1. Increase incentives for Pro Bono Work in the state: Possibly add more carrots to the pro bono stick: awards, CLE credit, etc.

2. Increase number of Volunteer opportunities: We need to have more Lawyers in Library style events to create more opportunities for pro bono

3. Create and Promote Pro Bono Best Practices: The state needs a common set of best practices that are promoted and published by the districts.

Needs
1. Coordination with other workgroups→Pro Bono consolidation makes sense

2. Development of materials

3. Buy-in from pro bono districts and paid providers to develop and utilize best practice tools

4. Research into other states’ practices in incentivizing pro bono and communication with decision-makers

Other Notes: Pro Bono Emeritus rule is working its way through the courts. We should have more information about the status during the next meeting.

RURAL WORK GROUP: CARL PEBWORTH

1. Expand Workgroup: Expand the work group to include members with broader geographic representation and from rural counties as well as with respect to areas of expertise like social service, technology resources, resource development and data collection.
2. Process for Accessing Legal Resources in rural areas: Develop a process for refining how access to legal resources and the courts in rural Indiana can be evaluated, addressed and improved.

3. Explore Best Practices from Other States: Explore best practices in other jurisdictions and disciplines to see what works and what does not in rural court access and access to civil legal and justice resources.

Top Expressed Needs
1. Identify the people who fit criteria of goal one.
2. Identify Pilot/Trial Counties to test ideas for goal number 2.
3. Expand Workgroup Capacity

OTHER KEY POINT ➔ Really Understanding Rural Indiana: There are a lot of rural counties in Indiana. Examination of rural court access and access to civil legal and justice resources has not been undertaken with much intensity to date. There are fundamentally different dynamics, needs, and resources in rural Indiana.

RESOURCE DEVELOPMENT

This group is on hold until the CCA funding system committee finishes its recommendations.

SELF HELP AND COURT ACCESS GROUP: MARILYN SMITH

Top 3 Goals
1. Increase communication with stakeholders: Additional buy-in from the legal community, better understanding of services available to Hoosiers, streamlining of procedures in courtrooms, more input from more sources
2. **Automate Forms**: this will streamline the process for SRLs and increase efficiency in the trial courts.

3. **Outline of website procedures**: Guidelines for upkeep of the website, understanding of which organizations should be included/which organizations serve the mission of the website

    *Top Expressed Needs*

1. Finances for automation of forms: May have to pay money for someone to automate the forms/resources.

2. We need the support of the judiciary.

3. Continue to educate the trial court judges about SHCA Developments

    *Other Discussion*

**Custody and Expungement Forms Debate**: Marilyn Smith shared the concerns of two Marion County Judges about posting custody forms on the CCA website. They are in favor of withholding custody forms from the general public because of the complexity of this area of law; and it could reinforce the belief that lawyers are not needed, encouraging more pro se filings which could be filed incorrectly and lead to unfortunate consequences. The CCA also discussed similar concerns with expungement forms and the need to provide, at minimum, useful information and program resources about expungement on the website. Currently, the CCA website does not have any specific information to help people with expungement. This issue was not resolved during the meeting.

**Judge Kim Dowling’s Replacement**: The Court is working on filling the vacant trial court position on the CCA. Tracy Papas is serving as the interim chair of the SHACA group.

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**NEW BUSINESS**

**Pro Se Appellate Guide**: Judge Altice asked that the CCA consider adding the new Pro Se Appellate Guide to Indianalegalhelp.org. The CCA discussed the matter and SHACA will follow up with Judge Altice to begin the process of reviewing the guide for posting
on the CCA website, along with a link to the appellate pro bono project at Indiana Legal Services.

CCA Conference: Rep. Susan Brooks will be speaking at the opening breakfast plenary of the CCA conference at Ivy Tech Conference Center in Indianapolis on October 4.

Work Groups for the coming year: CCA members were asked to sign up for a work group for the coming year. If you were not in attendance at the meeting, please let Marilyn know by the October 28 meeting which work group you’d like to join or continue on.

Communication & Technology:
Jon Laramore, chair
Emily Weikert Bryant
Carolyn Clay Hall
Kelsey Kotnik, new ISBA Communications manager

Data Collection
John Floreancig
Jon Laramore

Pro Bono
Chris Purnell, chair
Carolyn Clay Hall
Hon. Martha Wentworth
** Lucinda Nord can help with Lawyers in Libraries

Rural
Carl Pebworth, Chair
Monica Fennell
John Floreancig
Mary Fondrisi
Victor Quintanilla
David Van Gilder
Scott Wylie

Resource Development
Charles Dunlap
John Floreancig
Jon Laramore
Don Lundberg
Carl Pebworth

Self Help and Court Access
Monica Fennell
Mary Fondrisi
Chris Purnell
Catheryne Pully
David Van Gilder

**2019 Meetings:**

Monday, October 28
Indiana Bar Foundation

CCA Fall Conference
Ivy Tech Conference Center
October 4, 2019
2820 N. Meridian Street
Indianapolis, IN 46208

**Future CCA Meetings:**

Tuesday, February 4, 2020—Indiana Supreme Court
Monday, April 6, 2020 – location TBD
Tuesday, June 9, 2020 – location TBD

Please let Marilyn know if your organization would host a future CCA meeting. The expenses of the meeting are covered through the CCA’s budget.

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**MEETING ADJOURNED AT 1:15 P.M**
The SHACA Workgroup, with the assistance of CCA staff, drafted two memos which provide a summary of the background, public and private feedback, and recommendations for moving forward with providing custody and expungement self-help court forms and additional resources on the Indiana Legal Help website. Both memos were included in pages 13-24 of the meeting materials.
Marilyn Smith discussed the custody form recommendations which included 11 key steps. (see page 23-24 of the materials)
Carlton Martin covered the expungement recommendations, which includes 6 recommendations. (see page 17-18 of the materials)

**FUNDING SYSTEM COMMITTEE UPDATES: JUDGE MAY**

The committee is developing recommendations to transition Indiana’s Civil Legal Aid Fund, IOLTA fund and Community Redevelopment Justice Grant program to a more consistent grant system. The committee studied and modeled its proposal on the Texas civil legal aid grant system (drafts included in the meeting materials). The committee circulated its proposal to current grantees and received written comments earlier this week. The committee will review and discuss grantee comments and report back to the full CCA.

Stated Goal of the Committee is to work within the existing framework of the Civil Legal Aid Fund Statute, applying a consistent set of service definitions and metrics with additional support for grantees to use a common language in their grant reporting.

**PRO BONO CONSOLIDATION: SCOTT WYLIE**

Over the course of several months, we have met with all 12 pro bono districts in person. Ten of the 12 pro bono districts have agreed to come into the consolidated Pro Bono Indiana organization by the end of 2019. The two districts that are not joining at the outset are based in Fort Wayne and Columbus. They will remain a part of the statewide pro bono network as separate entities and we will revisit the option of having them join Pro Bono Indiana (PBI) at a later time.

The Pro Bono Transition Committee Members include: Chuck Dunlap, IN Bar Foundation, Chair; Monica Fennell, Faegre Baker Daniels, Indianapolis; Mary Fondrisi, Southern Indiana Pro Bono Referrals, Jeffersonville; Mark Torma, The Volunteer Lawyer Network, South Bend; Hon. Martha Wentworth, Indiana Tax Court

- December 31st is the date by which the separate organizations will join PBI.
- All programs will be brought to an adequate level of insurance protection with the creation of PBI.
- In the first year, there will be savings in insurance costs for the consolidating entities
- For 2020, all of the districts are receiving the same funding as they did in 2019
  - PBI will subgrant to Ft. Wayne and Columbus pro bono districts
**Update from Jon Laramore: Rose v Azar**

**Rose v Azar Background**
The case that ILS filed is a lawsuit challenging Indiana’s work requirements for Medicaid recipients. If the requirements go into effect, nearly 24,000 Hoosiers risk losing health coverage in 2020. The lawsuit claims that by approving Indiana’s Medicaid work requirements, the defendants have violated the Administrative Procedure Act and the Take Care Clause of the US Constitution. The lawsuit was filed in the U.S. District Court for the District of Columbia. Neither the State of Indiana, an Indiana Agency, nor Gov. Holcomb are listed as defendants in the lawsuit.

Indiana’s 2019 Civil Legal Needs Study showed that medical services and health care are the biggest needs. The lawsuit is:

1. An effort to help individual ILS clients, not a class action lawsuit
2. A “Client Prevention” Strategy→it could prevent thousands of people from getting kicked off of Medicaid.
3. A law enforcement act→It requires the intended agencies to comply with the existing law on the books.

**Indiana Bar Foundation Updates: Chuck Dunlap**

The Foundation approved a $1 million grant to PBI, which will provide subgrants to Pro Bono Districts C and I. The Foundation also approved $250,000 in impact grants from Court funds – focused on medical legal partnerships and legal services for veterans. Impact Grant Recipients will be announced imminently. The Foundation is also using Community Redevelopment Justice Grant funds to support the Mortgage Foreclosure Settlement Conference program in the coming year. The Impact Grant will track the economic impact of these funds in 2020.

**Lunch**

**Old and New Business→**
Indiana Legal Help: The website has received over 250,000 visitors and over 1 million views since it launched in the fall of 2018. The CCA discussed the goal of outreach and education to clerks and judges on the availability of Indiana Legal Help resources.

Pro Bono Publico Rule: The Chief Justice signed an Order on October 17th to create a “Pro Bono Publico License” in the Indiana Rules for Admission to the Bar and Discipline of Attorneys. This Order will take effect on January 1, 2020. The link for the order can be found here: https://www.in.gov/judiciary/files/order-rules-2019-1017-admis-disc.pdf.

CCA Conference: Rep. Susan Brooks spoke at the opening breakfast plenary of the CCA conference at Ivy Tech Conference Center in Indianapolis on October 4. There were over 200 attendees. The majority of the feedback from the conference was positive.

CCA Members: The CCA acknowledged the departure of Chris Purnell as Executive Director of Neighborhood Christian Legal Clinic. Chase Haller will step in as the Interim Executive Director and serve on the CCA in that capacity until a new permanent E/D is hired.

Hon. Charles Todd has agreed to join the CCA in the trial court judge appointment recently vacated by Hon. Kim Dowling. He will be at the next CCA meeting in February 2020.

Hon. Beth Tavitas has agreed to serve as the chair of the CCA’s Self Help & Court Access Workgroup.

**Future CCA Meetings:**

- Tuesday, February 4, 2020 — Indiana Supreme Court
- Monday, April 6, 2020 — location TBD
- Tuesday, June 9, 2020 — IU McKinney School of Law

Please let Marilyn know if your organization would host a future CCA meeting. The expenses of the meeting are covered through the CCA’s budget.

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**MEETING ADJOURNED AT 12:24 P.M**